

### **Amendments to the Claims**

This listing of claims will replace all prior versions, and listings, of claims in the application:

#### **Listing of Claims:**

Claim 1 (currently amended): A sun visor assembly for a vehicle to be used in conjunction with an overhead airbag, comprising:

- a visor panel;
- a rod member that is attached to the visor panel;
- a first mount for interconnecting the rod member and the vehicle wherein the rod member is pivotably connected to the first mount so the visor panel can be disposed in a first deployed position and a retained position; and
- a deflecting element comprising a releasable catch mechanism for allowing the visor panel to be deflected out of a trajectory of the overhead airbag upon activation without fragmenting the visor panel or separating the sun visor assembly from the vehicle, wherein the first deployed position of the visor panel covers an upper portion of a side of a windshield of the vehicle, and wherein the visor panel can be disposed in a second deployed position that covers an upper portion of a side window of the vehicle.

Claim 2 (original): The sun visor assembly of claim 1, wherein the retained position of the visor panel is proximate an overhead airbag module such that the visor panel is substantially parallel to a plane containing a roof of the vehicle.

Claims 3-4 (canceled)

Claim 5 (currently amended): The sun visor assembly of claim ~~[[4]]~~ 2, further comprising a second mount for interconnecting the sun visor assembly and the vehicle, wherein the second mount is located on an inboard side of the vehicle and the first mount is located on an outboard side of the vehicle.

Claim 6 (original): The sun visor assembly of claim 5, wherein the visor panel is capable of becoming detached from the second mount so the visor panel can be disposed in the second deployed position.

Claim 7 (original): The sun visor assembly of claim 6, wherein the first and second mounts are fastened to a header of the vehicle.

Claim 8 (canceled)

Claim 9 (original): The sun visor assembly of claim 1, wherein the visor panel has a top and bottom edge;

the rod member is rotatably connected along the top edge of the visor panel creating an axis of rotation collinear with the rod member;

the visor panel is held in the retained position by a locking mechanism such that the visor panel can be released from the locking mechanism by a vehicle passenger, whereupon the visor panel moves from the retained position to the first deployed position; and

the deflecting element allows the visor panel to be temporarily deformed when a force is applied against the visor panel upon activation of the overhead airbag such that the visor panel is released from the locking mechanism and moves out of the retained position away from the trajectory of the overhead airbag.

Claim 10 (original): The sun visor assembly of claim 1, wherein the visor panel has a top and bottom edge, the top edge being adjacent the first mount;

the rod member has a portion that extends along a length parallel to, but not proximate the top edge of the visor panel such that the rod member does not impede the trajectory of the overhead airbag upon activation; and

the visor panel is capable of being deformed out of the trajectory of the overhead airbag upon activation.

Claim 11 (original): A sun visor assembly for a vehicle to be used in conjunction with an overhead airbag, comprising:

a visor panel having an outboard and inboard edge, and a top and bottom edge;

a rod member having a first portion that extends adjacent and is rotatably connected to the bottom edge of the visor panel, and a second portion that extends adjacent and is detachably connected to the outboard edge of the visor panel;

a mount interconnecting the rod member and the vehicle such that the rod member is pivotably connected to the mount so the visor panel can be disposed in a first deployed position and a retained position; and

wherein the visor panel is capable of detaching from the second portion of the rod member and rotating along an axis collinear with the first portion of the rod member out of a trajectory of the overhead airbag when a force is applied against the visor panel upon activation of the overhead airbag.

Claim 12 (original): The sun visor assembly of claim 11, wherein the outboard edge of the visor panel is detachably connected to the second portion of the rod member by a catch mechanism.

Claim 13-15 (canceled)

Claim 16 (original): The sun visor assembly of claim 12, wherein the catch mechanism is located proximate the top edge of the visor panel.

Claim 17 (original): The sun visor assembly of claim 16, wherein the first portion of the rod member is substantially perpendicular to the second portion of the rod member.

Claim 18 (original): The sun visor assembly of claim 17, wherein the retained position of the visor panel is proximate an overhead airbag module and the visor panel is substantially parallel to a plane containing a roof of the vehicle.

Claim 19 (original): The sun visor assembly of claim 18, wherein the first deployed position of the visor panel covers an upper portion of a side of a windshield of the vehicle.

Claim 20 (original): The sun visor assembly of claim 19, wherein the visor panel can be disposed in a second deployed position that covers an upper portion of a side window of the vehicle.

Claims 21-46 (canceled)

Claim 47 (currently amended): A sun visor assembly for a vehicle to be used in conjunction with an overhead airbag, comprising:

- a visor panel;

- means for supporting the visor panel in a retained position and a first deployed position;

- a first mount for attaching the sun visor assembly adjacent a roof of the vehicle, wherein the supporting means is pivotably connected to the first mount so the visor panel can be disposed in the retained position and the first deployed position; and

- means comprising a releasable catch mechanism for allowing the visor panel to be deflected out of a trajectory of the overhead airbag upon activation without fragmenting the visor panel or separating the sun visor assembly from the vehicle, wherein the first deployed position of the visor panel covers an upper portion of a side of a windshield of the vehicle, and wherein the visor panel can be disposed in a second deployed position that covers an upper portion of a side window of the vehicle.

Claims 48-49 (canceled)

Claim 50 (currently amended): The sun visor assembly of claim ~~[[49]]~~ 47, further comprising a second mount for attaching the sun visor assembly adjacent a roof of the vehicle, wherein the

second mount is located on an inboard side of the vehicle and the first mount is located on an outboard side of the vehicle.

Claim 51 (original): The sun visor assembly of claim 50, wherein the visor panel is capable of becoming detached from the second mount so the visor panel can be disposed in the second deployed position.

Claim 52 (original): The sun visor assembly of claim 51, wherein the first and second mount are fastened to a header of the vehicle.

Claim 53 (original): A sun visor assembly for a vehicle to be used in conjunction with an overhead airbag, comprising:

- a visor panel;

- a rod member that is attached to the visor panel;

- a first mount for interconnecting the rod member and the vehicle wherein the rod member is pivotably connected to the first mount so the visor panel can be disposed in a first deployed position and a retained position;

- a deflecting element for allowing the visor panel to be deflected out of a trajectory of the overhead airbag upon activation without fragmenting the visor panel or separating the sun visor assembly from the vehicle;

- wherein the visor panel has an outboard and inboard edge, and a top and bottom edge and the rod member having a first portion that extends adjacent to and is rotatably connected to the bottom edge of the visor panel, the rod member further having a second portion that extends adjacent to and is detachably connected to the outboard edge of the visor panel and wherein the visor panel detaches from the second portion of the rod member and rotates along an axis collinear with the first portion of the rod member out of the path of the overhead airbag when a force is applied against the visor panel upon activation of the overhead airbag.